

September 3, 2008 Telephonic Meeting

Merle Johnson moved, with a second by Jeff Henderson, to approve the agenda.

MOTION CARRIED UNANIMOUSLY.

Ying Ying Chen moved, with a second by Tammy Dueher, that in **case number 08-30** the Board find that, although one or more of the allegations in the complaint may be substantiated by the witnesses interviewed in the course of the investigation and the documents gathered in the course of the investigation, and the allegations may constitute a technical violation of the board's statute or administrative rules; the evidence before the board indicates that adequate steps have been taken to remedy the violation and to ensure that incidents of a similar nature do not occur in the future. Taking into account these circumstances, and

1 the Board's mission to act upon those complaints which involve a threat to the
2 health and safety of students and the public, the Board will not pursue formal
3 disciplinary action in this matter.

4 Roll call vote: Aboud – yes; Dirks – yes; Jeffrey – yes; Paulsen – yes; Robinson –
5 yes; Stevens – yes; Chen – yes; Duehr – yes; Henderson – yes; and Johnson – yes; .

6 **MOTION CARRIED UNANIMOUSLY.**

7
8 Tammy Dueher moved, with a second by Ying Ying Chen, that in **case number 08-**
9 **32** the Board find that, although one or more of the allegations in the complaint
10 may be substantiated by the witnesses interviewed in the course of the
11 investigation and the documents gathered in the course of the investigation, and
12 the allegations may constitute a technical violation of the board's statute or
13 administrative rules; the evidence before the board indicates that the
14 circumstances do not warrant imposition of a sanction by this board, and the
15 Board will not pursue formal disciplinary action in this matter.

16 Roll call vote: Aboud – yes; Chen – yes; Dirks – yes; Duehr – yes; Jeffrey – yes;
17 Johnson – yes; Paulsen – yes; Robinson – yes; Henderson- yes; and Stevens – yes.

18 **MOTION CARRIED UNANIMOUSLY.**

19
20 Ying Ying Chen moved, with a second by Tammy Dueher , that **in case number 08-**
21 **33** the Board find that, although one or more of the allegations in the complaint
22 may be substantiated by the witnesses interviewed in the course of the
23 investigation and the documents gathered in the course of the investigation, and
24 the allegations may constitute a technical violation of the board's statute or
25 administrative rules; the evidence before the board indicates that the alleged
26 violation was an isolated incident and adequate steps have been taken to remedy
27 the violation and to ensure that incidents of a similar nature do not occur in the
28 future the Board will not pursue formal disciplinary action in this matter.

29 Roll call vote: Aboud – yes; Chen – yes; Dirks – yes; Duehr – yes; Jeffrey – yes;
30 Johnson – yes; Paulsen – yes; Robinson – yes; Henderson- yes; and Stevens – yes.

31 **MOTION CARRIED UNANIMOUSLY.**

1 Tammy Dueher moved, with a second by Ying Ying Chen, that **in case number 08-**
2 **34** the Board find that, although one or more of the allegations in the complaint
3 may be substantiated by the witnesses interviewed in the course of the
4 investigation and the allegations may constitute a technical violation of the board's
5 statute or administrative rules; the evidence before the board indicates that the
6 alleged violation was an isolated incident and adequate steps have been taken to
7 remedy the violation and to ensure that incidents of a similar nature do not occur
8 in the future the Board will not pursue formal disciplinary action in this matter.

9 Roll call vote: Aboud – yes; Chen – yes; Dirks – yes; Duehr – yes; Jeffrey – yes;
10 Johnson – yes; Paulsen – yes; Robinson – yes; Henderson- yes; Stevens – yes and
11 Smith - yes. **MOTION CARRIED UNANIMOUSLY.**

12
13 John Aboud moved, with a second by Tom Paulsen, to table **cases 08-42, 08-49,**
14 **08-54, 08-57, 08-58, 08-77, and 08-82.**

15 Roll call vote: Aboud – yes; Chen – yes; Dirks – yes; Duehr – yes; Jeffrey – yes;
16 Johnson – yes; Paulsen – yes; Robinson – yes; Henderson- yes; Stevens – yes and
17 Smith - yes. **MOTION CARRIED UNANIMOUSLY.**

18
19 Tammy Dueher moved, with a second by Ying Ying Chen, that in **case number 08-**
20 **93**, the Board find probable cause to establish a violation of the following
21 provisions of the Code of Professional Conduct and Ethics, 282 IAC 25.3(1)(e)(4),
22 and order this case set for hearing.

23 Roll call vote: Aboud – yes; Chen – yes; Dirks – yes; Duehr – yes; Jeffrey – yes;
24 Johnson – yes; Paulsen – yes; Robinson – yes; Henderson- yes; Stevens – yes and
25 Smith - yes. **MOTION CARRIED UNANIMOUSLY.**

26
27 Ying Ying Chen moved, with a second by Tammy Dueher, that in **case number 08-**
28 **10**, the Board accepts the Respondent's waiver of hearing and voluntary surrender
29 and that the Board issue an order permanently revoking the Respondent's license
30 with no possibility of reinstatement.

31 Roll call vote: Aboud – yes; Chen – yes; Dirks – yes; Duehr – yes; Jeffrey – yes;
32 Johnson – yes; Paulsen – yes; Robinson – yes; Henderson- yes; Stevens – yes and
33 Smith - yes. **MOTION CARRIED UNANIMOUSLY.**

1 Ying Ying Chen moved, with a second by Tammy Dueher, **that case 08-11**, the
2 Board extend the 180-day deadline for issuance of the final decision, due to the
3 need for additional time to conduct a hearing, prepare a proposed decision, and
4 review the proposed decision by the Board.

5 Vote: Aboud – yes; Chen – yes; Dirks – yes; Duehr – yes; Jeffrey – yes; Johnson –
6 yes; Paulsen – yes; Robinson – yes; Henderson- recuse; Stevens – yes and Smith -
7 yes. **MOTION CARRIED.**

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11 There being no further business, Judy Jeffrey adjourned the meeting.